

7/11/07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/30/2007

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Yun CHEN,
A72 183 172

Plaintiff,

Civil No. 1:07-cv-03120-DC

-against-

Michael CHERTOFF,
Secretary, Department of Homeland Security,
et., al.

Defendants.

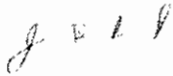
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STIPULATION TO WITHDRAW WITHOUT PREJUDICE

1. The parties to this matter hereby stipulate that this matter shall be and hereby is **withdrawn without prejudice** and without costs or attorneys fees.
2. If Plaintiff does not move to reinstate this matter, or request an extension of time to so move, within 60 days from the date that this Stipulation is So Ordered by this Court, the matter shall be deemed **withdrawn with prejudice**.

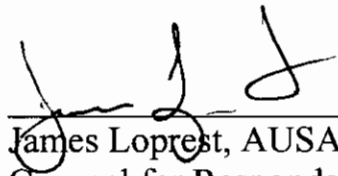
3. If Plaintiff intends of moving to reinstate within the proscribed time period, Plaintiff shall provide counsel for Defendant at least ten days advanced notice, where feasible.

Signed and agreed to by:



Joshua Bardavid
Counsel for Petitioner

August 28, 2007
New York, New York



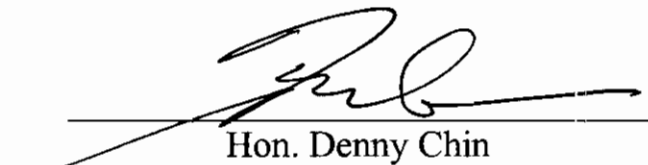
James Loprest, AUSA
Counsel for Respondent

August 28, 2007
New York, New York

ORDER

The above-signed Stipulation shall be entered as an Order of this Court.

Dated:



Hon. Denny Chin
United States District Judge

8/30/07